



Joseph S. Jacobs  
Direct Phone: +1 212 549 0272  
Email: jjacobs@reedsmith.com

Reed Smith LLP  
599 Lexington Avenue  
New York, NY 10022-7650  
+1 212 521 5400  
Fax +1 212 521 5450  
reedsmith.com

May 14, 2019

**VIA CM/ECF**

The Honorable Eric N. Vitaliano, U.S.D.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza E.  
Brooklyn, New York 11201

**RE: *Boysin Lorick et al. v. Kilpatrick Townsend and Stockton LLP, et al.*;**  
**Case No.: 1:18-cv-07178-ENV-JO**  
**Proposed Briefing Schedule for Motion to Dismiss Complaint**

Dear Judge Vitaliano:

This firm represents defendant Wells Fargo Bank, N.A., incorrectly sued herein as Wells Fargo (hereinafter, "Wells Fargo") in the above-referenced action. I write to inform the court that pursuant to Your Honor's Individual Motion Practice Rules, Wells Fargo intends to make a motion to dismiss this action pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) or, alternatively, pursuant to 12(b)(2) and 12(b)(5) (the "Motion to Dismiss").<sup>1</sup>

Plaintiffs Boysin and Cynthia Lorick (together, "Plaintiffs") are pro se litigants and, therefore, Your Honor's rules provide that no pre-motion conference is required. Furthermore, also pursuant to Your Honor's rules, I spoke via telephone with Boysin Lorick on May 14, 2019, and we agreed upon the following briefing schedule for the Motion to Dismiss:

- (1) Wells Fargo will serve the Motion to Dismiss upon Plaintiffs via regular and certified mail following approval of a briefing schedule by the Court;
- (2) On or before June 13, 2019, Plaintiffs will serve any opposition to the Motion to Dismiss upon Wells Fargo's undersigned counsel via regular mail to Reed Smith LLP, Attn: Joseph S. Jacobs, 599 Lexington Avenue, Fl. 22, New York, NY 10022;
- (3) Wells Fargo will serve any reply in further support of the Motion to Dismiss upon Plaintiffs by regular and certified mail on or before June 26, 2019; and
- (4) The Motion to Dismiss will be returnable on June 27, 2019.

---

<sup>1</sup> Wells Fargo has not been properly served in this action and, therefore, this Letter is made without waiver of Wells Fargo's right to move to dismiss for lack of personal jurisdiction and improper service of process.

The Honorable Eric N. Vitaliano, U.S.D.J.  
May 14, 2019  
Page 2

ReedSmith

Pursuant to the foregoing, Wells Fargo respectfully requests that this Court enter an Order approving the above proposed briefing schedule for Wells Fargo's contemplated Motion to Dismiss pursuant to Fed. R. Civ. P 12(b)(1) and 12(b)(6) or, alternatively, pursuant to 12(b)(2) and 12(b)(5). As always, the courtesies of the Court are greatly appreciated. Thank you very much for your time and consideration of this matter.

Respectfully submitted,

*/s/ Joseph S. Jacobs*

Joseph S. Jacobs

cc: Boysin Lorick (*via CM/ECF, Regular Mail, and Certified Mail*)  
Cynthia Lorick  
38 Utica Road  
Edison, NJ 08820  
Tel: (908) 565-3011  
*Plaintiffs Pro Se*